

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK
DOCUMENTS SERVED WITH INDEX # 08 CV 0210

DANA BADKE, an infant over the age of fourteen (14)
years, by her father and natural guardian, JOHN
BADKE and JOHN BADKE, individually

Plaintiff(s)/Petitioner(s)

ORIGINAL

VS

MARVIN WEIMAN

Defendant(s)/Respondent(s)

CANADA, PROVINCE OF ONTARIO, CITY OF TORONTO, SS.:

Cecil M. Clarke, Process Server, being duly sworn deposes and says deponent is not a party herein, and is over the age of eighteen years. That on January 18, 2008 at 8:45 PM at 131 Westhampton Drive, Thornhill, Ontario, L4J 7J8 deponent did serve the within

SUMMONS AND COMPLAINT

on MARVIN WEIMAN, Defendant (herein called recipient) therein named.

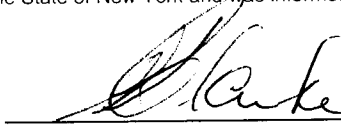
- #1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.
- #2 CORP. ☐ A _____ corporation, by delivering thereat a true copy of each to _____ personally, deponent knew said corporation so served to be the corporation, described in same as said recipient and knew said individual to be _____ thereof.
- Service was made in the following manner after your deponent was unable, with due diligence, to serve the defendant in person, including an effort to reach the defendant by telephone, (if such telephone number was available) and an attempt to locate the defendant's place of employment.*
- #3 SUITABLE AGE PERSON ☒ By delivering a true copy of each to JANET WEIMAN, Wife a person of suitable age and discretion. Said premises is recipient's [x] actual place of business [] dwelling house (usual place of abode) within the province.
- #4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's [] actual place of business [] dwelling house (usual place of abode) within the province.
- #5 MAILING COPY ☒ On JANUARY 21, 2008 deponent completed service under the last two sections by depositing a copy of the SUMMONS AND COMPLAINT to the above address in a First Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the Canadian Post Office in the Province of Ontario.
- Deponent called at the aforementioned address on the following dates and times:
- on the _____ day of _____ at _____
- on the _____ day of _____ at _____
- on the _____ day of _____ at _____
- on the _____ day of _____ at _____
- #6 NON-SERVICE ☐ After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person/entity being served because of the following:
[] Unknown at Address [] Evading [] Moved left no forwarding [] Address does not exist [] Other
- #7 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
Sex FEMALE Color of skin WHITE Color of hair DARK BROWN Approx. age 60 Approx. Height 5'7"
Approx. Weight 155 LBS. Other _____
- (use with #1,2 or 3)
#8 WIT. FEES ☐ \$ _____ the authorizing traveling expenses and one day's witness fee was paid (tendered) to the recipient.

Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or on active duty in the military service in the State of New York and was informed he/she was not.

Sworn to before me on this 22nd of January, 2008.

A COMMISSIONER, ETC.

Greg Borg, a Commissioner, etc., City of Toronto, for Borg Process Servers Inc., and for Process Serving and Tenant Protection Act, 1997 matters only. Expires March 14, 2009.


CECIL M. CLARKE